



## CITY OF ATLANTA

SHIRLEY C. FRANKLIN  
MAYOR

BUREAU OF BUILDINGS  
ARBORIST DIVISION  
55 TRINITY AVENUE, S.W., SUITE 3800  
ATLANTA, GEORGIA 30303-0309  
Tel: 404.330.6874  
Fax: 404.658.6977

DEPARTMENT OF PLANNING  
AND COMMUNITY  
DEVELOPMENT

STEVEN R. COVER, AICP  
COMMISSIONER

AINSLEY CALDWELL,  
ARBORICULTURAL  
MANAGER

### APPEAL FORM AND PROCEDURE

Please fill out the Tree Commission Public Hearing procedures and appeal form by providing the following information:

- A. List all appellants name, address, and phone number (attach sheet if necessary)
- B. Address where trees are being removed
- C. District number
- D. Council district
- E. Neighborhood Planning Unit

The cost for filing an appeal is a **non-refundable** \$75.00 administrative fee. Checks are to be made payable to City of Atlanta. Remit payment to:

Bureau of Buildings-Arborist Div.  
c/o Helen Smith  
55 Trinity Ave, SW, Suite 3800  
Atlanta, GA 30303-0309

You may mail appeal form(s) and written justification to Helen Smith at the above address or fax Attn: Helen Smith at 404.658.6977. Upon receipt of documents, your case will be advertised and scheduled for the next available Tree Commission Public Hearing date. Tree Commission Public Hearings are held every 3<sup>rd</sup> and sometimes on the 4<sup>th</sup> Wednesday of the month – 6 pm at City Hall, Committee room 2.

**Note: The signature page must be notarized.**

If you have questions about filing an appeal please see the Tree Preservation Ordinance of the City of Atlanta, Chapter 158-56 of the Atlanta City Code, 1995. Thank you.

[illegible]

## TREE CONSERVATION COMMISSION PUBLIC HEARING ON APPEALS

A quorum of the Tree Conservation Commission will preside over the Public Hearing. Each case will be heard in accordance with the procedures below.

### **Procedures**

All testimony shall be taken under oath.

All persons appearing before the Commission shall state their name and relationship to the case, and shall then state facts and argument relevant to the case.

Each party shall have 5 minutes, unless a request for additional time is made at the beginning of the hearing and granted by the Commission. Each side with several speakers may pool their time for up to 5 minutes.

The Clerk will maintain a count of the time.

All speakers must fill out a “Speaker Sign-In Card”

All exhibits are to be logged in by the Clerk.

**The official site plan must be made available to the Tree Commission and verified by the City Arborist and Applicant.**

**To appeal against a Notice of Preliminary Approval (yellow sign) appellant must be a citizen of Atlanta, owner of property or business in Atlanta, or a member of a civic organization in the Neighborhood Planning Unit structure of Atlanta.**

### **Order of Presentation**

1. A sounding of the summary of the appeal (Clerk)
2. Appellant submit evidence & official site plan to Clerk (Clerk)
3. Swear in **all** speakers for case (City Attorney)
4. Summarization of case (Arborist)
5. Explanation of exhibits (City Attorney)
6. Opening statement and presentation by appellant (5 minutes)
7. Statements of other parties supporting case (5 minutes)
8. Statement and presentation of parties opposing the appeal (5 minutes)
9. Rebuttal by appellant (5 minutes)



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### TREE CONSERVATION COMMISSION (COMMISSION)

#### NOTICE OF APPEAL OF DECISION OF ADMINISTRATIVE OFFICIAL

Date Filed \_\_\_\_\_ Appeal Number \_\_\_\_\_

Name of Appellant(s) \_\_\_\_\_ Phone \_\_\_\_\_  
List all appellants name, address, and phone number (attach sheet if necessary)

Address \_\_\_\_\_

Name of Owner \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

#### DESCRIPTION OF PROPERTY

Address of  
Property \_\_\_\_\_

Land Lot: \_\_\_\_\_ District: \_\_\_\_\_ County, GA.

Council District \_\_\_\_\_ Neighborhood Planning Unit: \_\_\_\_\_

TO THE COMMISSION: Appellant, having received an adverse decision dated \_\_\_\_\_, from an administrative official on a matter regulated by the Tree Protection Ordinance of the City of Atlanta, Chapter 158 of Atlanta City Code, 1995, hereby requests that the Commission approve of the subject appeal.

Justification for Request: On a separate sheet(s) of paper, you must submit a full justification for your request based on the criteria outlined in the instructions on page 4. If the owner and appellant is not the same, please complete Attachment 1 If the appellant will be represented by an attorney, please complete Attachment 2.

**CITY OF ATLANTA**  
**TREE CONSERVATION COMMISSION**  
**APPEAL INFORMATION**

**Please provide the information below regarding your appeal case. This information will be read at the Public Hearing, prior to the presentation of your case.**

1. What is the specific decision of the City arborist that you are appealing?
2. What decision do you want the Tree Conservation Commission to make?
3. If applicable, please identify, by number, the relevant section of the City's Tree Protection Ordinance according to which you contend the arborist made an erroneous decision.
4. Briefly summarize the proposed activities on the property.
5. Please provide justification if you are claiming economic hardship. Please provide a signed affidavit if you are asking for consideration based on income and assets or nonprofit status. Please provide a copy if you have a development impact fee waiver.
6. Have you obtained the relevant permits for your proposed project (building permit, land disturbance permit, variance permit, etc.)?
7. If applicable, please attach supporting reports or affidavits from licensed professionals (ex: independent arborists, structural engineers, etc.).

NOTICE OF APPEAL OF DECISION OF ADMINISTRATIVE OFFICIAL (continued)

I hereby swear that all statements herein and attached herein are true and correct to the best of my knowledge and belief.

Sworn To And Subscribed Before Me This \_\_\_\_\_ Day of \_\_\_\_\_, 200\_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Appellant or Agent For Appellant

Attachment 1

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AUTHORIZATION BY PROPERTY OWNER  
(Required only if appellant is not the owner of the property subject to the appeal.)

I, \_\_\_\_\_ (OWNER's NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY AT \_\_\_\_\_  
\_\_\_\_\_(PROPERTY ADDRESS),

AS SHOWN IN THE RECORDS OF \_\_\_\_\_ COUNTY, GEORGIA WHICH IS THE  
SUBJECT MATTER OF THE ATTACHED APPEAL. I AUTHORIZE THE PERSON  
NAMED BELOW TO ACT AS APPELLANT IN THE PURSUIT OF THIS APPEAL.

NAME OF APPELLANT \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE NUMBER \_\_\_\_\_

\_\_\_\_\_  
Signature of Owner

Personally Appeared  
Before Me

\_\_\_\_\_  
Who Swears That This Information  
Contained In This Authorization Is  
True and Correct To The Best Of  
His or Her Knowledge or Belief.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Date

Note: This form is required only if the appellant is the owner of the subject property, or if someone is acting on behalf of the owner.

Attachment 2

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AUTHORIZATION OF ATTORNEY

I SWEAR, AS AN ATTORNEY AT LAW, THAT I HAVE BEEN  
AUTHORIZED BY THE OWNER TO FILE THE ATTACHED

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF ATTORNEY

\_\_\_\_\_  
NAME

\_\_\_\_\_  
MAILING ADDRESS

\_\_\_\_\_  
CITY

STATE

\_\_\_\_\_  
ZIP CODE

\_\_\_\_\_  
TELEPHONE NUMBER